



AUG 8 2002

Anthony Cohen, Esquire  
Clement, Fitzpatrick & Kenworthy  
3333 Mendocino Avenue  
P.O. Box 1494  
Santa Rosa, California 95402

RE: Approval of Amendment to the Big Valley Band of Pomo Indians Tribal Gaming Ordinance

Dear Mr. Cohen:

This letter responds to your request to the National Indian Gaming Commission (NIGC) for the review and approval of the amendment to the Big Valley Band of Pomo Indians (Band) tribal gaming ordinance submitted on July 8, 2002. The amendment to the ordinance was adopted by the Band by Resolution # 04-20-02 on April 22, 2002. This letter constitutes approval of your submission under the Indian Gaming Regulatory Act (IGRA). Such approval does not constitute approval of specific games. It is important to note that the gaming ordinance is approved for gaming only on Indian lands, as defined in the IGRA, over which the Tribe exercises jurisdiction.

Thank you for submitting the amendment to the tribal gaming ordinance of the Band for review and approval. The NIGC staff and I look forward to working with you and the Community in implementing the IGRA. If you have questions or require further assistance, please contact Ms. Frances Fragua at 202/632-7003.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Montie R. Deer".

Montie R. Deer  
Chairman

cc: Tony Jack, Tribal Chair, Big Valley Band of Pomo Indians

**RECEIVED**

**JUL 01 2002**

CLEMENT, FITZPATRICK &  
KENWORTHY

**Resolution # 04-20-02  
of the  
General Community Council  
Of The  
Big Valley Band of Pomo Indians**

**Amendment to Big Valley Gaming Act of 1994  
Reducing Number of Gaming Commissioners to Three**

WHEREAS: The Big Valley Rancheria (Tribe) is governed pursuant to a Constitution and By-Laws approved by the Secretary of the Interior under the Indian Re-organization Act of 1934 (IRA); and

WHEREAS: Under the Tribe's Constitution, the General Community Council, composed of all qualified voting members of the Tribe, is the governing body of the Tribe; and

WHEREAS: The General Community Council has determined that it is in the best interest of the Tribe to reduce the number of Commissioners on the Tribal Gaming Commission created pursuant to the Big Valley Gaming Act of 1994 ("the Act") from the present five Commissioners to three; and

WHEREAS: the Big Valley Gaming Commission has advised the General Community Council that its functions could be performed with three members; and

WHEREAS: The Big Valley Business Committee concurs in the reduction of the number of Commissioners on the Gaming Commission from five to three; and

WHEREAS: The terms of two of the present members of the Big Valley Gaming Commission will expire in November of 2002; and

WHEREAS: the Big Valley Gaming Act of 1994 has been approved by the National Indian Gaming Commission ("NIGC"), and no amendment of the Act is effective until approved by the NIGC; and

THEREFORE BE IT RESOLVED, that the General Community Council of the Big Valley Band of Pomo Indians hereby amends the Big Valley Gaming Act of 1994 as follows:

- 1) The second sentence of Section 4a. is replaced in its entirety with the following sentence:

"The Gaming Commission shall be composed of three (3) members of the Tribe, all of whom shall be elected by the same process by which offices of the Tribe are elected."

- 2) Section 4c., entitled "Terms of Office," is replaced in its entirety with the

following:

"The Commissioners shall serve for two year staggered terms. In order to reduce the number of Gaming Commissioners from five to three, as provided by the Gaming Act amendment of 2002, the two Commission seats the elected terms of which expire in 2002, shall terminate upon such expiration. The next regular election for Gaming Commissioners after the effective date of the Gaming Act amendment of 2002, shall occur in November of 2003. At that election, all three Commissioners' seats shall be filled, with the successful candidate who receives the least votes elected for a term of one year, and the other two elected for two year terms. Thereafter, each Commissioner shall be elected for a term of two years. Commissioners may serve for more than one term.

- 3) Section 4e., entitled "Quorum," is replaced in its entirety with the following:

"Two (2) members of the Gaming Commission shall constitute a quorum.

- 4) The second sentence of Section 4h., entitled "Meetings," is replaced in its entirety with the following:

"Additional meetings shall be held as called by the Chairman or by the other two (2) Commissioners.

BE IF FURTHER RESOLVED THAT: This Resolution is hereby adopted by the General Community Council of the Big Valley Rancheria and shall be submitted by the Tribal Chairman to the NIGC for approval, to be effective immediately upon its approval by the NIGC, or at such earlier date as provided by federal law or regulation.

#### CERTIFICATION

The signatures below certify that the above resolution was adopted by the Tribal General Community Council at a duly called meeting at which a quorum was established on April 20 2002 by a vote of 15 for, 0 opposed, and 2 abstaining.

Anthony J. Jack  
Anthony Jack, Chairman

4-20-02  
Date

Tina Ramos  
Attested to by: Tina Ramos, Secretary

4-20-02  
Date